

REMARKS**Response to Claim Objections**

Claims 16-22, 48-51 were objected to by the Examiner because of the following informalities: Claim 16, line 5, "a penetrating element" should be "at least one penetrating element" since two penetrating elements is claimed in claim 20; line 8 "a penetrating element" should be "the at least one penetrating element"; lines 8 and 11, "the cover connector" should be "the cover connecting member." Claim 17 was objected to by the Examiner under 37 C.F.R. 1.75(c), as being improper dependent form for failing to further limit the subject matter of a previous claim. Claim 20 was objected to by the Examiner because of the following informalities: Line 2, "cover connector" should be "cover connecting member" and "penetrtrion" should be "penetration". Claim 49 is objected to because of the following informalities: Line 2, "stent cover is secured to the body by" should be "stent cover is further secured to the body by". Claim 51 is objected to by the Examiner because of the following informalities: Line 1, "53" should be deleted.

Applicant's amendment have obviated the Examiner's objections.

Response to Claim Rejections Under 35 U.S.C. §112

Claims 20, 49-51 are rejected by the Examiner under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention on the lack of antecedent bases in the claims.

Applicants believe that the above amendments to the claims obviate the Examiner's rejection under 35 U.S.C. §112.

RECEIVED
CENTRAL FAX CENTER

OCT 10 2003

OFFICIAL

Response to Claim Rejections Under 35 U.S.C. §102

Claims 16, 17, 22, 48-51 are rejected by the Examiner under 35 U.S.C. §102(b) as being anticipated by Pinheiro (U.S. Pat. No. 5,581,228).

Applicant has amended claim 16 to include the feature that the penetrating element is formed integral with the connecting support member. The reference cited by the Examiner (Pinheiro) provides sutures (38) which are not integral with the connecting support members (struts 40) and therefore cannot anticipate the invention of claim 16.

Allowable Subject Matter

Claims 18, 19 and 21 are objected to by the Examiner as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims and overcome the objections thereto. Applicant has amended these claims in a manner believed to overcome these objections, so these claims should be allowable.

Conclusions

Applicant believes the pending claims define patentable subject matter and respectfully request further consideration pursuant to the request for continued examination. An early allowance is earnestly solicited.

Respectfully submitted,

By: 

Edward J. Lynch
Registration No. 24,422
Attorney for Applicants

DUANE MORRIS LLP
One Market, Spear Tower, Ste. 2000
San Francisco, CA 94105
Direct Dial: (415) 371-2267
Facsimile: (415) 371-2201